

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

: SUPERSEDING
: INFORMATION

RCD

-v-

:

S1 07 Cr. 943 (RPP)

NUE VUKSENAJ,

:

a/k/a "Fat Tony,"

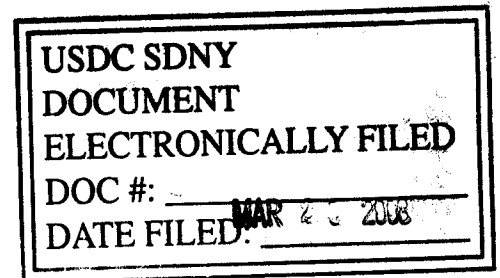
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Defendant.

:

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COUNT ONE



The United States Attorney charges:

1. From at least in or about 2005, up to and including in or about August 2007, in the Southern District of New York and elsewhere, NUE VUKSENAJ, a/k/a "Fat Tony," the defendant, and others known and unknown, unlawfully, willfully and knowingly combined, conspired, confederated and agreed together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1955.

2. It was a part and an object of the conspiracy that NUE VUKSENAJ, a/k/a "Fat Tony," the defendant, and others known and unknown, unlawfully, willfully, and knowingly would and did conduct, finance, manage, supervise, direct, and own all and part of an illegal gambling business, namely a business that maintained illegal video gambling machines in bars and social clubs in Queens, New York, in violation of New York State Penal

Law Sections 225.00 and 225.05, and which business involved five and more persons who conducted, financed, managed, supervised, directed, and owned all and part of it, and which business had been and had remained in substantially continuous operation for a period in excess of thirty days and had gross revenues of \$2,000 in a single day, in violation of Title 18, United States Code, Section 1955.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about July 2007, in the Bronx, New York, NUE VUKSENAJ, a/k/a "Fat Tony," the defendant, met with a co-conspirator not named herein as a defendant ("CC-1") to discuss illegal video gambling machines.

b. In or about July 2007 up through and including in or about August 2007, CC-1 and another co-conspirator not named herein as a defendant ("CC-2") carried to and within the Bronx, New York, gambling proceeds from illegal video gambling activities.

(Title 18, United States Code, Section 371.)

FORFEITURE ALLEGATION

4. As a result of committing the gambling offense alleged in Count One of this Information, NUE VUKSANAJ, a/k/a "Fat Tony," the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461 and 18 U.S.C. § 1955(d), any property, including money, used in the offense charged in Count One, and any property, real and personal, which constitutes or is derived from proceeds traceable to said offense, including, but not limited to, at least \$500,000 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the offense charged in Count One.

Substitute Assets

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third party;

(3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be divided without difficulty; it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property, including but not limited to:

a. Any and all right, title, and interest held by NUE VUKSANAJ, a/k/a "Fat Tony," the defendant, in the real property and appurtenances known as 31 Standish Avenue, Yonkers, New York, registered in the names of NUE VUKSANAJ and Drita Vuksanaj;

b. Any and all right, title, and interest held by NUE VUKSANAJ, a/k/a "Fat Tony," the defendant, in the real property and appurtenances known as 568 Saw Mill River Road, Millwood, New York, registered in the name of NUE VUKSANAJ.

(Title 18, United States Code, Sections 981 and 1955, and Title 28, United States Code, Section 2461).


MICHAEL J. GARCIA
United States Attorney

07cr943(RPP)
VSA v. NOE VUKSIC

3/20/08 - Defendant present w/ attorney Hernandez. AUSA Massey present. Deft appears on this superseding information, is assigned & enters plea of not guilty. Court accepts plea. Deft. then withdraws plea of not guilty & enters plea of guilty. Allocution is conducted. Court accepts plea, PSR is ordered, sentence set for 6/25/08 at 4 PM. Deft's bail is continued. Deft. moves to vacate confession of judgment (in the amount of one million dollars) in lieu of a lien being placed against one of the Deft's properties (31 Standish Avenue, Yonkers, NY). Court will grant application, order to be submitted.

Patterson J.